

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ROBERT BOLDEN, Sr.,)
)
)
Movant,)
)
)
) No. 4:10 CV 2288 CEJ
v.)
)
)
UNITED STATES OF AMERICA,) **THIS IS A CAPITAL CASE**
)
)
Respondent.)

**RESPONDENT'S MOTION FOR LEAVE TO TRANSFER
PETITIONER TO ANOTHER INSTITUTION**

COMES NOW the United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Michael A. Reilly and Allison H. Behrens, Assistant United States Attorneys for said District, and respectfully notifies the Court that the Bureau of Prisons intends to transfer Petitioner to another institution pursuant to Rule 23 of the Federal Rules of Appellate Procedure.

1. Petitioner Robert Bolden, Sr., is a federal inmate at USP Terre Haute. At the time of this motion, Petitioner is in a civilian medical facility due to his medical condition. Pursuant to Rule 23(a), the Respondent and the Warden at USP Terre Haute notifies that Court that the Bureau of Prisons will transfer Petitioner to a medical facility within the Bureau of Prisons to facilitate medical care. It is the opinion of medical staff at the Bureau of Prisons that Petitioner's current medical condition necessitates that Petitioner be moved to a federal medical facility, a "Level Four," care facility within the Bureau of Prisons, commensurate with his current medical needs.

2. Respondent proposes that Petitioner be transported to a medical correctional facility subject to the management of security and medical issues under the direction of the Bureau of Prisons. Upon Petitioner's arrival at a medical facility within the Bureau of Prisons, the Bureau of Prisons will notify Respondent, who will in turn notify Petitioner's counsel of the medical facility within which Petitioner is designated and placed.

3. Respondent by no means intends to hinder Petitioner's ability to communicate with his Counsel, but rather to provide appropriate medical care to meet Petitioner's current medical needs.

Wherefore, the Respondent respectfully notifies this Court that the Bureau of Prisons is transferring the Petitioner to a medical institution in order to manage his serious medical needs.

Respectfully submitted,

RICHARD G. CALLAHAN
United States Attorney

/s/ Michael A. Reilly
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CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2016, the foregoing was filed electronically with the Clerk of the Court for service upon all parties of record.

/s/ Michael A. Reilly
MICHAEL A. REILLY, #43908MO
ALLISON H. BEHRENS, #38482MO